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OFFICE OF PETITIONS

In re Application of :
William R. Matz, et al. :
Application No. 10/036,923 :
Filed: December 21, 2001 :
Attorney Docket No. 36968/267874 (BS01424) :

ON PETITION

This is a decision in response to the petition, filed October 18, 2004, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

A review of the record reveals that no abandonment has occurred in this application. Accordingly, the petition is DISMISSED AS MOOT.

In view of this decision, petitioner is entitled to a refund of the \$1370 fee included with this petition. Any request for refund must include a copy of this decision and be mailed to Mail Stop 16, Director of the U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450 or faxed to the Customer Service Help Desk at (703) 308-5077.

The application is being returned to Technology Center 2171 for further consideration of the amendment filed October 11, 2004.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy